

THE HONORABLE FRANKLIN D. BURGESS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JONATHAN MOAMLAE,
EDWARD MALANDO WILLIAMS, and
MAZZAR GERALD ROBINSON,

Defendants.

No. CR05-5784FDB

STIPULATED MOTION
AND ORDER FOR
CONTINUANCE OF
PRETRIAL MOTIONS
CUTOFF DATE

The defendants herein, Jonathan Moamlae, by and through his counsel, Jerome Kuh; Edward Malando Williams, by and through his counsel, Zenon P. Olbertz; Mazzar Gerald Robinson, by and through his counsel, Judith M. Mandel; and the Government, by and through its counsel, Kent Y. Liu, Assistant United States Attorney, hereby move that the pretrial motions cutoff date in the above captioned matter, presently scheduled for November 29th, 2005, be vacated, and that the pretrial motions cutoff date be rescheduled to December 15th, 2005, with Government's response date being December 22nd, 2005.

STIPULATED MOTION AND ORDER
FOR CONTINUANCE OF PRETRIAL MOTIONS
CUTOFF DATE - 1

LAW OFFICE OF
ZENON PETER OLBERTZ
1008 SOUTH YAKIMA AVENUE, SUITE 302
TACOMA, WASHINGTON 98405
(253) 272-9967

1 Trial is presently scheduled in this matter for January 17th, 2006, and the
2 pretrial conference is presently scheduled for January 5th, 2006.

3 DATED this 28th day of November, 2005.

4 LAW OFFICE OF
ZENON PETER OLBERTZ
5 Attorney for Defendant
Edward M. Williams

FEDERAL PUBLIC
DEFENDER'S OFFICE
Attorney for Defendant
Jonathan Moamlae

6 /s/
7 By: _____ . By: _____ .
8 Zenon P. Olbertz Jerome Kuh

9
10 LAW OFFICE OF
JUDITH M. MANDEL
11 Attorney for Defendant
Mazzar G. Robinson

UNITED STATES
ATTORNEY'S OFFICE

12 /s/
13 By: _____ . By: _____ .
14 Judith M. Mandel Kent Y. Liu
15 Assistant U.S. Attorney

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STIPULATED MOTION AND ORDER
FOR CONTINUANCE OF PRETRIAL MOTIONS
CUTOFF DATE - 2

LAW OFFICE OF
ZENON PETER OLBERTZ
1008 SOUTH YAKIMA AVENUE, SUITE 302
TACOMA, WASHINGTON 98405
(253) 272-9967

AFFIDAVIT

STATE OF WASHINGTON)

: ss.

County of Pierce)

ZENON P. OLBERTZ being duly sworn under oath, deposes and says, I am the attorney for the defendant, Edward M. Williams in the above captioned matter.

This affidavit is in support of the agreed upon motion to request a continuance of the pretrial motions cutoff date currently set for November 29, 2005. Your affiant apparently received the discovery in this matter sometime over the Thanksgiving holiday. I first had an opportunity to see the disk, which apparently contained 458 pages of discovery on November 28th. It is my belief that all other defendants' counsel are in the same situation. As a result of the timing of receiving the discovery in this case, and the number of documents, all parties agree that it is simply unworkable to continue, or to maintain the current motions cutoff date of November 29th. All parties

STIPULATED MOTION AND ORDER
FOR CONTINUANCE OF PRETRIAL MOTIONS
CUTOFF DATE - 3

LAW OFFICE OF
ZENON PETER OLBERTZ
1008 SOUTH YAKIMA AVENUE, SUITE 302
TACOMA, WASHINGTON 98405
(253) 272-9967

1 are requesting that this Court continue the motions cutoff date in this matter to
2 December 15th, 2005, with the Government's response date being December 22nd, 2005.

3 FURTHER YOUR AFFIANT SAYETH NAUGHT.
4

5 /s/

6 ZENON P. OLBERTZ

7 SUBSCRIBED AND SWORN to before me this 28th day of November, 2005.

8 /s/

9 NOTARY PUBLIC in and for the State
10 Of Washington, residing at Tacoma. My
11 Commission Expires: 11/28/05.

ORDER

Before this court is a stipulated motion for continuance of the pretrial motions cutoff date presently scheduled for November 29th, 2005. The court finds, after a consideration of all relevant information and the circumstances of this case, that without this continuance the defendants will be prejudiced and the ability to properly prepare for trial would be impaired.

For these reasons, the Court finds the stipulated motion for continuance should be granted. The previously scheduled pretrial motions cutoff date is hereby VACATED. The pretrial motions cutoff date shall be RESCHEDULED to December 15th, 2005, with the Government's response date being: December 22nd, 2005.

IT IS SO ORDERED.

DONE this 29th day of November, 2005.

/s/ Franklin D Burgess

United States District Judge

1
2 LAW OFFICE OF
3 ZENON PETER OLBERTZ
4 Attorney for Defendant
5 Edward M. Williams

6 /s/
7 By: _____.

8 Zenon P. Olbertz

FEDERAL PUBLIC
DEFENDER'S OFFICE
Attorney for Defendant
Jonathan Moamlae

/s/
By: _____

Jerome Kuh

9 LAW OFFICE OF
10 JUDITH M. MANDEL
11 Attorney for Defendant
12 Mazzar G. Robinson

13 /s/
14 By: _____.
15 Judith M. Mandel

UNITED STATES
ATTORNEY'S OFFICE

/s/
By: _____
Kent Y. Liu
Assistant U.S. Attorney

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STIPULATED MOTION AND ORDER
FOR CONTINUANCE OF PRETRIAL MOTIONS
CUTOFF DATE - 6

LAW OFFICE OF
ZENON PETER OLBERTZ
1008 SOUTH YAKIMA AVENUE, SUITE 302
TACOMA, WASHINGTON 98405
(253) 272-9967

CERTIFICATE OF SERVICE

I hereby certify that on November 28th, 2004, I electronically filed the foregoing Stipulated Motion and Order for Continuance of Pretrial Motions Cutoff Date with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all defense counsel, and to the following:

Kent Y. Liu
Assistant United States Attorney
700 Stewart Street
Suite 5220
Seattle, WA 98101-1271

I hereby certify that on November 28th, 2005, I mailed the Stipulated Motion and Order for Continuance of Pretrial Motions Cutoff Date to the following:

Edward Malando Williams
Reg. #35730-086
Federal Detention Center
SeaTac
P.O. Box 13900
Seattle, WA 98198

DATED this 28th day of November, 2005.

/s/

Sarah M. Heckman
Legal Assistant